

3/5/08

L-69-08 bjw

ORDINANCE NO. 69-08

BY: **MARY GALINAS**  
(By Request - City Engineer)

AN ORDINANCE TO APPOINT AN ASSESSMENT  
EQUALIZATION BOARD TO HEAR AND DETERMINE  
OBJECTIONS FILED WITH RESPECT TO THE MANHATTAN  
AVENUE SEWER ASSESSMENTS, AND DECLARING AN  
EMERGENCY

WHEREAS, objections have been received by the City relative to the first estimated assessment having been issued in this project; and,

WHEREAS, the City intends to continue to recognize these objections unless withdrawn prior to hearings of the Assessment Equalization Board; and,

WHEREAS, it is reasonably anticipated that objections will be received by the City relative to the amended estimated assessments being issued in this project;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, three disinterested freeholders of the City of Parma, are appointed as an Assessment Equalization Board to hear and determine all written objections filed in accordance with law to the estimated assessments filed with the Clerk of this Council pursuant to Resolution No. 308-06, adopted December 3, 2007, by this Council. The Board is directed to equalize such assessments as it deems proper to conform to the standards prescribed by Resolution No. 308-06 and by law.

Section 2. The Assessment Equalization Board shall meet at a time and place as may hereafter be declared by City Council for the purposes aforesaid, and on completion of the hearing and any adjournments, shall report its recommendations, including any changes which should be made in the estimated assessment to this Council.

Section 3. That each member of the Assessment Equalization Board shall be compensated at a rate of \_\_\_\_\_ per day, not to exceed \_\_\_\_\_ total per person without further amendments to this Ordinance.

Section 4. That the Clerk of Council is directed to notify, by certified mail, each person who has filed timely, written objections to the estimated assessment of the time and place of the hearing and the Assessment Equalization Board.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Ord. to appoint an Assessment Equalization Board to hear and determine objections filed with respect to the Manhattan Sewer Assessment, and declaring an emergency

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary so that the proceedings for the assessment of the costs of the sewers in this area can be implemented to provide the revenue, and to permit the project to proceed on schedule to meet the bid date deadline from Ohio Public Works Commission, and to assure safe and sanitary conditions for the residents in this area, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_

FILED WITH  
THE MAYOR: \_\_\_\_\_  
MAYOR, CITY OF PARMA, OHIO